

RESOLUTION NO. 20190606-058

WHEREAS, the City Council of the City of Austin has found that public necessity requires the City to acquire certain real property interests for public uses as set out below; and

WHEREAS, the City has attempted to purchase those needed real property interests, but has been unable to agree with the owner on the value of the property interest, or the damages, if any; **NOW, THEREFORE,**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Attorney, or other authorized designee, is hereby authorized and directed to file, or cause to be filed, a suit in eminent domain on behalf of the City against the owner now having, or who may acquire, an interest in the real property interests necessary to the City, described below, for the public uses set out below, and to take whatever other action may be deemed appropriate to effect the necessary acquisitions.

BE IT FURTHER RESOLVED:

The City Attorney, or other authorized designee, shall file eminent domain proceedings for:

Owners: Lamar Properties, LLC., a Texas limited liability company
Project: Austin Energy Circuit 811 Upgrade Parcel 31 Project

Public Use:

An easement and right of way along, over, under, and across that portion of the Property bounded and described on Exhibit A and shown on Exhibit B, attached hereto and incorporated herein (the "Easement"), to place, construct, reconstruct, install, operate, repair, maintain, inspect, replace, upgrade or remove (in whole or in part) electric transmission, distribution and electric telecommunications lines and systems; and all necessary or desirable appurtenances and structures (the "Facilities"), in the Easement, and to cut or trim trees and shrubbery and to remove obstructions as necessary to keep them clear of the Facilities and permit unimpeded access to the Facilities.

Location:

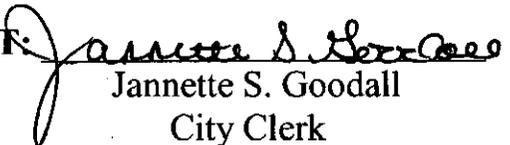
8631 North Lamar Boulevard, Austin, Travis County, Texas 78753

The general route of the project is along the east side of N. Lamar Blvd. from the Justin Lane Substation on North Lamar Blvd. crossing Lamar Blvd. at Wagon Trail Road; from there the circuit traverses the North Park Estates and Gracywoods neighborhoods until it reaches the McNeil Substation on Knollpark Drive, in Austin, Travis County, Texas. (District 4).

Property:

Described in the attached and incorporated Exhibit A and B.

ADOPTED: June 6, 2019

ATTEST: 
Jannette S. Goodall
City Clerk



Landesign Services, Inc.

1220 McNeil Road
 Suite 200
 Round Rock, Texas 78681
 Firm Registration No. 10001800
 512-238-7901 office
 512-238-7902 fax

PROPERTY DESCRIPTION PARCEL 31

BEING A 0.059 OF ONE ACRE (2560 SQUARE FEET) PARCEL OF LAND SITUATED IN THE J.P. WALLACE SURVEY, IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 1 AND LOT 2, BLOCK NO. 2, FISKVILLE SCHOOL ADDITION, RECORDED IN VOL. 4, PG. 169 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID LOT 1 AND LOT 2 BEING DESCRIBED IN A GENERAL WARRANTY DEED TO LAMAR PROPERTIES, LLC, RECORDED IN DOCUMENT NO. 2004083754 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. SAID 0.059 OF ONE ACRE (2560 SQUARE FEET) PARCEL BEING SHOWN ON THE ATTACHED SKETCH LABELED EXHIBIT "B" AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rebar found (Grid Coordinates: N=10102607.788, E=3126041.654) for the most Westerly corner of said Lot 2 and the most Northerly corner of Lot 3, of said Block No. 2, also being in the existing Easterly right-of-way line of North Lamar Boulevard (R.O.W. Varies), from which a 1/2-inch iron rebar found for the most Westerly corner of said Lot 3 and the most Northerly corner of Lot 4, of said Block No. 2, also being in said existing Easterly right-of-way line of North Lamar Boulevard, bears South 48°22'38" West a distance of 76.19 feet;

THENCE **North 48°22'38" East** coincident with the common dividing line of said Lot 2, said Lot 1, and said existing Easterly right-of-way line of North Lamar Boulevard, passing at a distance of 75.76 feet, a 3/4-inch iron pipe found 0.47 feet left of this line, continuing past the most Northerly corner of said Lot 2 and the most Westerly corner of said Lot 1, and continue for a total distance of **170.67** feet to a Calculated Point for the most Northerly corner of said Lot 1 and being at the intersection of said existing Easterly right-of-way line of North Lamar Boulevard with the existing Southerly right-of-way line of Elliot Street (50' R.O.W. as shown on said FISKVILLE SCHOOL ADDITION), from which a 1/2-inch iron rebar found for the most Northerly corner of Lot 5, Block No. 1, of said FISKVILLE SCHOOL ADDITION, and the most Westerly corner of Lot 4, of said Block No. 1, also being in said existing Easterly right-of-way line of North Lamar Boulevard, bears North 48°22'38" East a distance of 225.16 feet;

EXHIBIT "A"

THENCE **South 41°36'57" East** departing said existing Easterly right-of-way line of North Lamar Boulevard and coincident with the common dividing line of said Lot 1 and said existing Southerly right-of-way line of Elliot Street, a distance of **15.00** feet to a Calculated Point not set for the most Easterly corner of the herein described tract;

THENCE **South 48°22'38" West** over and across said Lot 1 and said Lot 2, a distance of **170.67** feet to a Calculated Point not set in the Southwest line of said Lot 2 and the Northeast line of said Lot 3;

THENCE **North 41°36'57" West** coincident with the common dividing line of said Lot 2 and said Lot 3, a distance of **15.00** feet to the **POINT OF BEGINNING** and containing 0.059 of one acre of land (2560 Square Feet) more or less.

All bearings shown hereon are based on the Texas State Plane Coordinate System (SPCS), Central Zone (4203), NAD83 (2011 Adjustment). All distances and coordinates shown hereon are grid values represented in U.S. Survey Feet.

This property description is accompanied by a separate plat of even date and was prepared by an on the ground survey made under my supervision during the month of October, 2016.

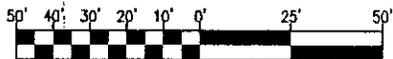


Travis S. Tabor
Registered Professional Land Surveyor
State of Texas No. 6428

01/27/2017
Date



Job Number: 16-006_811 Upgrade
Attachments: Survey Drawing: L:\City of Austin\811 Upgrade\DWGS\Parcels\16006_Parcel 31

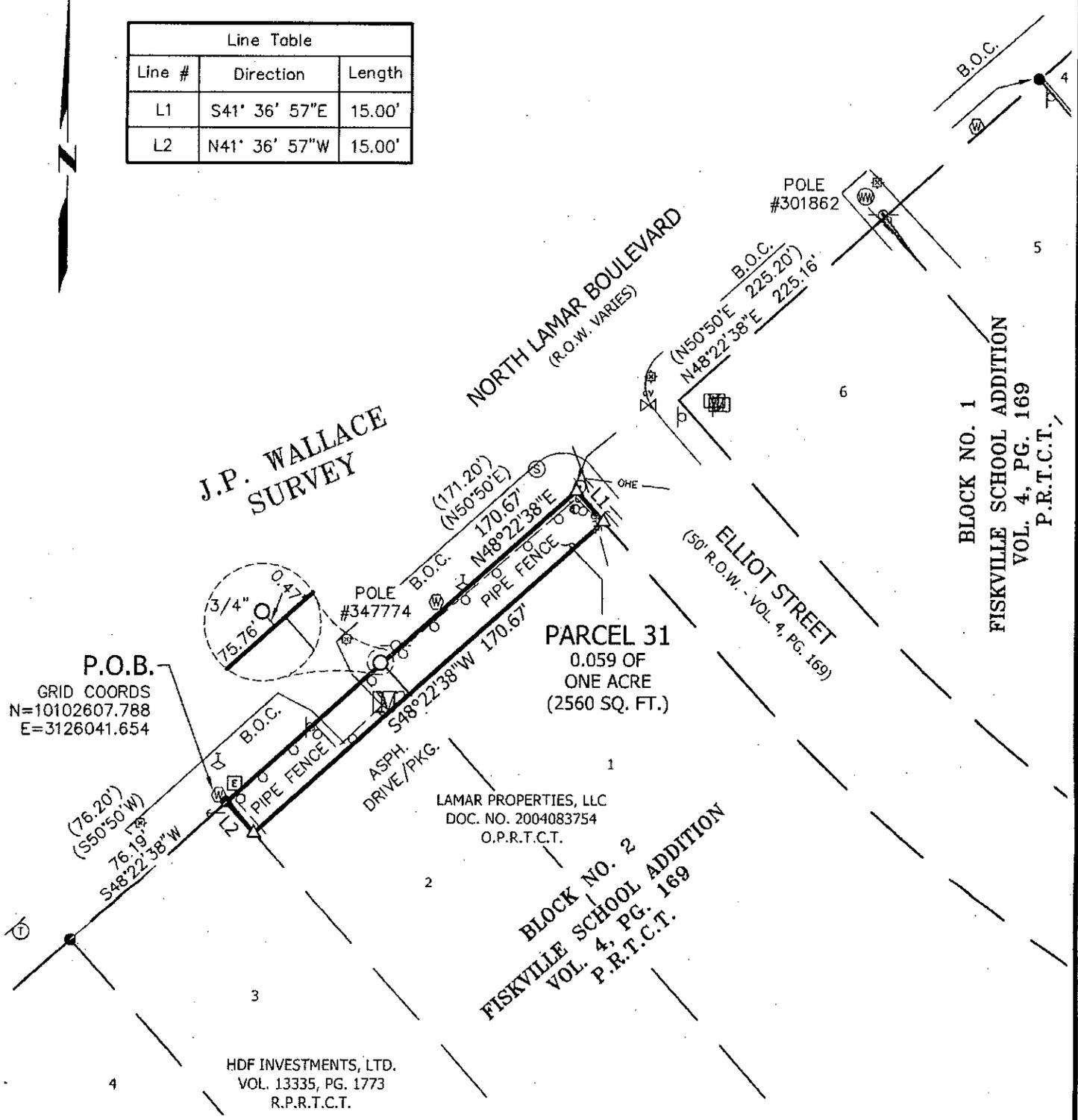


GRAPHIC SCALE

EXHIBIT "B"

SEE SHEET 4 FOR LEGEND AND
TITLE COMMITMENT NOTES

Line Table		
Line #	Direction	Length
L1	S41° 36' 57"E	15.00'
L2	N41° 36' 57"W	15.00'



JOB NUMBER: 16-006		DATE: 01/27/2017	
PROJECT NAME: 811 UPGRADE			
DRAWING NAME: 16006_PARCEL 31			
DRAWING FILE PATH: L:\City of Austin\811 Upgrade\DWGS\Parcels			
FIELDNOTE FILE PATH: L:\City of Austin\811 Upgrade\Metes and Bounds			
RPLS: TST	TECH: TST	PARTYCHIEF: JA	CHK BY: JB
SHEET 03 of 04		FIELDBOOKS: 265/267	SCALE: 1" = 50'



LANDESIGN SERVICES, INC.

512-238-7901
1220 MCNEIL ROAD
SUITE 200
ROUND ROCK, TEXAS 78681
FIRM REGISTRATION NO. 10001800

COMMITMENT FOR TITLE INSURANCE PROVIDED BY:

CHICAGO TITLE INSURANCE COMPANY
 GF NO.: CTA-07-CTA1601410JP
 ISSUE DATE: JULY 12, 2016 - EFFECTIVE DATE: JULY 1, 2016

ONLY THOSE ITEMS LISTED IN SCHEDULE B OF THE ABOVE REFERENCED COMMITMENT FOR TITLE INSURANCE WERE REVIEWED FOR THE PURPOSE OF THIS SURVEY. NO ADDITIONAL RESEARCH WAS PERFORMED BY THIS SURVEYOR. THERE MAY BE ADDITIONAL EASEMENTS, RESTRICTIONS, OR OTHER ENCUMBRANCES WHICH AFFECT THIS SURVEY THAT ARE NOT KNOWN TO THIS SURVEYOR.

SCHEDULE B EXCEPTIONS:

- 10a. NOT A SURVEY MATTER.
- 10b. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE SURVEY OF THE LAND. NOTED HEREON.
- 10c. NOT A SURVEY MATTER.
- 10d. NOT A SURVEY MATTER.
- 10e. NOT A SURVEY MATTER.
- 10f. NOT A SURVEY MATTER.
- 10g. 3' PUBLIC UTILITY EASEMENT ALONG THE REAR PROPERTY LINE AS STATED ON THE PLAT RECORDED IN VOL. 4, PG. 169, PLAT RECORDS OF TRAVIS COUNTY, TEXAS. NOTED HEREON - DOES NOT AFFECT.

LEGEND

- ☼ COTTON SPINDLE FOUND (OR AS NOTED)
- TX.D.O.T. TYPE I MONUMENT FOUND
- ◼ TX.D.O.T. TYPE II MONUMENT FOUND
- IRON REBAR FOUND (1/2" OR AS NOTED)
- IRON PIPE FOUND (1/2" OR AS NOTED)
- ⊙ IRON REBAR FOUND WITH CAP (ILLEGIBLE)
- ▲ NAIL FOUND (PK OR AS NOTED)
- △ CALCULATED POINT NOT SET
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- O.R.T.C.T. OFFICIAL RECORDS OF TRAVIS COUNTY, TEXAS
- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
- D.R.T.C.T. DEED RECORDS OF TRAVIS COUNTY, TEXAS
- P.R.T.C.T. PLAT RECORDS OF TRAVIS COUNTY, TEXAS
- C.R.T.C.T. CONDOMINIUM RECORDS OF TRAVIS COUNTY, TEXAS
- R.O.W. RIGHT-OF-WAY
- P.U.E. PUBLIC UTILITY EASEMENT
- U.E. UTILITY EASEMENT
- B.L. BUILDING LINE
- (S45°E 45') RECORD INFO. PER TRAVIS COUNTY

THIS PROJECT IS REFERENCED FOR ALL BEARING AND COORDINATE BASIS TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD83 - 2011 ADJUSTMENT), CENTRAL ZONE (4203).

DISTANCES SHOWN HEREON ARE GRID VALUES REPRESENTED IN U.S. SURVEY FEET.

THIS SURVEY PLAT ACCOMPANIES A METES AND BOUNDS DESCRIPTION OF EVEN DATE.

THIS MAP WAS PREPARED FROM AN ON-THE-GROUND SURVEY PERFORMED UNDER MY DIRECT SUPERVISION. THE FIELD WORK WAS COMPLETED IN OCTOBER, 2016.


 TRAVIS S. TABOR
 REGISTERED PROFESSIONAL LAND SURVEYOR
 STATE OF TEXAS - NO. 6428

01/27/2017
 DATE



LEGEND

- CO WASTEWATER CLEANOUT
- ⊙ WATER METER
- ⊗ WATER VALVE
- ⊠ IRRIGATION CONTROL VALVE
- ⊙ UNKNOWN MANHOLE
- ⊠ PB ELECTRIC PULLBOX
- ⊠ M MAILBOX
- GUARDRAIL
- IRON FENCE
- OHE OVERHEAD ELECTRIC
- ⊠ ELECTRIC MISC.
- ⊙ ELECTRIC MANHOLE
- POLE
- ⊠ POWER POLE
- ⊠ SIGN POST
- ⊠ W WATER METER
- ⊙ FIRE HYDRANT
- ⊠ BP BOLLARD
- ⊠ T TELEPHONE MANHOLE
- ⊠ TEL TELEPHONE PEDESTAL
- ⊠ TV CABLE MARKER
- CONC. CONCRETE
- ASPH. ASPHALT
- PKG. PARKING AREA
- E.P. EDGE OF PAVEMENT
- B.O.C. BACK OF CURB

JOB NUMBER: 16-006	DATE: 01/27/2017
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DRAWING NAME: 16006_PARCEL 31	
DRAWING FILE PATH: L:\City of Austin\811 Upgrade\DWGS\Parcels	
FIELDNOTE FILE PATH: L:\City of Austin\811 Upgrade\FIELD\Field to Office\FNs	
RPLS: TST	TECH: TST
PARTYCHIEF: JA	CHK BY: JB
SHEET 04 of 04	FIELD BOOKS: 265/267
SCALE: 1" = 50'	



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 1220 MCNEIL ROAD
 SUITE 200
 ROUND ROCK, TEXAS 78681
 FIRM REGISTRATION NO. 10001800

Proposed Easement at Lamar Property Tract #31

-  Parcels
-  Proposed Easement

2018 Aerial Imagery, City of Austin



*AE Public Involvement
& Real Estate Services*



0 50 100
Feet

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by AUSTIN ENERGY for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Produced by MGomez 11/29/2018

